

REMARKS

Claims 1-2, 11-12, and 16-17 are pending in this application. Claims 1, 11, and 16 are independent. In light of the remarks contained herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-2, 11-12, and 16-17 under 35 U.S.C. § 103(a) as being unpatentable *Maeda* (JP 08-096493) in view of *Saito* (JP 03-186073); and rejected claims 1-2, 11-12, and 16-17 under 35 U.S.C. § 103(a) as being unpatentable over *Uryu* (USP 6,542,186) in view of *Matsuo* (USP 5,179,505), *Kannan et al.* (USP 5,423,045) and further in view of *Saito*. Applicant respectfully traverses these rejections.

Claim Rejections – 35 U.S.C. § 103(a)- *Maeda/Saito*

In support of the Examiner's rejection of claim 1, the Examiner asserts that *Maeda* discloses all of the claim elements except the controller having a timer for measuring elapsed time since the power supply from the power supply part is suspended and the controller turns off the master switch when the elapsed time reaches a predetermined time shorter than a time for an automatic power-off control while the detector does not detect that the lid is closed. The Examiner relies on the teachings of *Saito* to cure the deficiencies of the teachings of *Maeda* asserting as follows:

However Saito teaches an information recording and reproducing device with a recording medium 21 loaded to a disk drive mechanism 6 and is detected by a detection switch 3. When the medium 21 is fitted and a non-operating state is continued over the first prescribed time, a power source is turned off. A timer to measure the elapsed time since the power supply from the power supply part is suspended would be inherently taught. When the medium 21 is not fitted and the non-operating state is continued over a second time shorter than the first time, the power source is turned off (Abstract and constitution). The benefit of doing so would be to have a higher power saving effect as taught in Saito.

Applicant respectfully submits that the teachings of *Saito* are insufficient to cure the deficiencies of the teachings of *Maeda*.

The Examiner asserts that *Saito* discloses an information recording and reproducing device with a recording medium 21 loaded to a disk drive mechanism 6 and is detected by a detection switch 3. When the medium 21 is fitted and a non-operating state is continued over the first prescribed time, a power source is turned off. When the medium 21 is not fitted and the non-operating state is continued over a second time shorter than the first time, the power source is turned off. However, there is no teaching or suggestion in *Saito* that discloses the controller having a timer for measuring elapsed time since the power supply from the power supply part is suspended and the controller turns off the master switch when the elapsed time reaches a predetermined time shorter than a time for an automatic power-off control **while the detector does not detect that the lid is closed**. *Saito* clearly discloses turning the power off based on whether the recording medium is inserted, not on whether or not the detector detects that the lid is closed.

The Examiner further asserts that *Saito* discloses calculating the time depending on the memory card. However, *Saito* merely discloses that the start point of the measuring by the timer indicates the time point when the power supply is turned on. There are no other teachings that are set forth in the disclosure of *Saito*.

In addition, *Saito* teaches calculating the time depending on the memory card. In contrast, the teachings of *Maeda* are directed to the opening/closing of the lid of the chamber. Thus, Applicant respectfully submits that *Saito* fails to cure the deficiencies of the teachings of *Maeda* by failing to teach or suggest the controller having a timer for measuring elapsed time since the power supply from the power supply part is suspended and the controller turns off the master switch when the

elapsed time reaches a predetermined time shorter than a time for an automatic power-off control while the detector does not detect that the lid is closed. As such, *Saito* fails to cure the deficiencies of the teachings of *Maeda*. As neither of the references, either alone or in combination, teach or suggest all of the claim elements, claim 1 is patentable over the references as cited by the Examiner.

Claim 2 is allowable for the reasons set forth above with regard to claim 1 at least based upon its dependency on claim 1. The Examiner relies on his rejection of claim 1 to support his rejection of claims 11 and 16. As claims 11 and 16 include the element of the controller having a timer for measuring elapsed time since the power supply from the power supply part is suspended, Applicant submits claims 11 and 16 are patentable for the reasons noted above with regard to claim 1.

Claim rejections – 35 U.S.C. § 103(a) – *Uryu/Matsuo/Kannan et al./Saito*

The Examiner alternatively rejects the claims under 35 U.S.C. §103(a) as being unpatentable over *Uryu* in view of *Matsuo* and *Kannan et al.* and further in view of *Saito*. However, Applicant respectfully submits that the claims are patentable over the references as cited for similar reasons as noted above with regard to the *Maeda/Saito* rejection.

The Examiner admits that none of *Uryu*, *Matsuo*, and *Kannan et al.* teach or suggest the controller having a timer for measuring elapsed time since the power supply from the power supply part is suspended and the controller turns off the master switch when the elapsed time reaches a predetermined time shorter than a time for automatic power-off control while the detector does not detect that the lid is closed. The Examiner relies on the teachings of *Saito* to cure the deficiencies of the three (3) other cited references. However, as noted above, *Saito* clearly discloses calculating the time depending on the memory card. There is no teaching or suggestion in *Saito* that is directed to the controller measuring elapsed time since the power supply from the power supply part is

suspended. Further, there is no teaching or suggestion in *Saito* that is directed to turning off the master switch based on the detector detecting whether or not the lid is closed.

For these reasons, Applicant respectfully submits that the combination of the references cited by the Examiner fail to teach or suggest all of the claim elements and thus, Applicant maintains that the claims are patentable over the references as cited.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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